

The Testimony of

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Before the Committee on
Financial Services

United States House of Representatives

Working Towards Ending Homelessness:
Reauthorization of the McKinney-Vento Homeless Assistance Act/
Homeless Emergency Assistance and Rapid Transition to Housing
Act (HEARTH Act), H.R. 840

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and the West Virginia Coalition Against Domestic Violence*

Introduction

Good morning and many thanks for the opportunity to appear before the Committee to address concerns about homelessness in this country and the reauthorization of the McKinney-Vento Homeless Assistance Act. As an advocate for victims of domestic violence and homelessness, I am honored to be here today. We in West Virginia deeply appreciate the committee's concern about the complex issues that cause homelessness and the best strategies for ending it. It means so much to Americans at risk of losing their housing that you are carefully considering all aspects of homelessness in the reauthorization of the McKinney-Vento Homeless Assistance Act.

I speak this morning on behalf of Covenant House of West Virginia, the Kanawha Valley Collective, and the West Virginia Coalition Against Domestic Violence.

Covenant House of West Virginia is a nonprofit organization dedicated to working for justice by offering direct services for people in need while creating social change through advocacy and education. We operate a day shelter and drop in center for those in Charleston living in homelessness or who are at risk of homelessness, providing case management, showers, laundry facilities, and emergency assistance. Our AIDS Residential & Resource Program, funded through HUD's Housing Opportunities for People with AIDS provides comprehensive supportive services to help low- and no-income West Virginians who are living with HIV or AIDS to sustain safe, secure housing. We also own three houses in downtown Charleston, providing permanent shelter for people with disabilities.

The Kanawha Valley Collective (KVC) is a consortium of organizations working collaboratively through direct services, advocacy, education and prevention to provide a seamless service delivery system addressing the impact of poverty, homelessness, and other social problems. Serving as our local Continuum of Care, KVC Collective works to enrich the quality of life for individuals and families in the Kanawha Valley and surrounding areas.

The West Virginia Coalition Against Domestic Violence (WVCADV) is a nonprofit organization dedicated to working toward a peaceful society where domestic violence no longer exists. The Coalition was organized more than two decades ago as a network of shelters for battered women and their children, and organizations and individuals concerned about the issue of domestic violence. The WVCADV serves domestic violence victims throughout the state through its 14 member shelter programs.

The HEARTH Act: Addressing the Needs of Those Facing Domestic Violence or Homelessness

The beautiful piece of legislation currently before you, the “Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH Act), H.R. 840, was introduced by U.S. Representatives Julia Carson (D-7th/IN), Geoff Davis (R-4th/KY), Rick Renzi (R-1st/AZ) and Barbara Lee (D-9th/CA). The HEARTH Act reauthorizes the McKinney-Vento Homeless Assistance Programs that are administered by the U.S. Department of Housing and Urban Development (HUD). HEARTH now has 78 additional co-sponsors.

Community Flexibility & Participation in Decision Making

West Virginia’s motto is “Montani Semper Liberi” – Mountaineers Are Always Free. Our communities have a long history of resisting control from above, subscribing to the theory that we know best how to serve our own needs. For West Virginians, passage of the HEARTH Act will mean greater decision-making at our local levels, preserving community flexibility in both rural and more populated settings. With passage of this bill, our localities will be allowed the flexibility to implement a range of housing solutions and be able to use HUD homeless assistance funds to meet our communities’ most pressing local needs. We will continue to use gaps and needs analysis, as called for in HEARTH, to ensure that communities do not ignore top priority populations – such as women and children who have been victimized by violence in their homes.

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Further, the HEARTH Act ensures broad community participation in planning to end homelessness – a practice we in Charleston already have in place. We know first-hand the benefits that come from having those who have the most at stake at the decision-making table. We applaud the HEARTH Act’s provision to include education liaisons, people experiencing homelessness, and domestic violence and youth service providers when local community priorities for the use of HUD homeless assistance funding are set. Additionally, we are in full support of HEARTH’s guarantee that the civil rights of homeless persons or the educational rights of homeless children and youth will be met.

Serving Those in Need

The HEARTH Act more closely aligns the HUD definition of homelessness with other federal agency definitions, which will translate into a greater number of homeless West Virginia families assisted. Today, we are finding that most victims of domestic violence, as well as all homeless families, are currently excluded from HUD’s chronic homeless initiative and from McKinney-funded permanent housing, despite their rising in numbers.

Why? Because these women and families are living doubled-up temporarily or in motels – a living situation which HUD will not recognize as homelessness. Due to this issue, we have found it extremely difficult to provide adequate and necessary services for these people in need. In Kanawha County many families, especially those escaping domestic violence situations, often choose to be doubled or tripled up instead of using emergency shelters. These victims need access to emergency, transitional and permanent housing or else their safety, and the safety of their children, is at risk. There are significant consequences to the community, including perpetuating both homelessness and domestic violence, when victims and their children are not served. Children sleeping in a rural West Virginia roadside motel with their mother are in as much need of comprehensive support services related to housing as if they were staying in an emergency night shelter in downtown Charleston. Yet, HUD-funded services are not available to them as they do not meet the HUD definition of what it means to be homeless.

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We know that the Department of Education, with its broader view of homelessness, recorded last year that 467 school-aged children were reported as homeless in Kanawha County. However, fewer than one quarter actually resided in a shelter. The more than 300 children not residing in a shelter, but who were staying with friends or relatives, or who were staying in motels, were not considered homeless by HUD. As stated above, all our homeless children deserve to have the same opportunities for housing as all homeless people.

At the same time, due to limits imposed by HUD, those of us reporting to that agency are reporting what we consider to be inaccurate numbers as to how many homeless people we are actually serving – or who need to be served. The fact is, until HUD aligns its definition with McKinney-Vento Education for Homeless Children and Youth (EHCY), we will continue to severely under-report numbers of those experiencing homelessness.

Restricting the definition does not change the reality of those struggling with homelessness. Whether they are called homeless or not, the Ferrante family is still bunking on the living room floor of Great Aunt Gussie on Charleston's West Side. Emily Priaulx is still going to church to church begging ministers for enough money to pay for another night at the Ivy Terrace Motel in Kanawha City for herself and her kids. And, the Fuller, the Smithson, and the Beal families are all crammed into one 2-bedroom trailer in Cabin Creek. Homeless? I think so.

Further, the Covenant House staff and the case managers from my partnering agencies in Charleston increasingly report frustration at not being able to refer some homeless families to other community providers because those providers do not serve those in motels and those who are doubled-up. An unemployed man who has been staying at a flea bag motel for a month and who needs resume and interview preparation help is not able to access Charleston's YWCA Job Readiness Center – it is only for the homeless. A woman moved from an emergency shelter in with a sketchy new boyfriend and has ongoing emotional and health needs, yet had to be dropped from intensive case management as she was no longer considered homeless under our Supportive Services Continuum of Care grant.

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The idea that the system will somehow be overwhelmed by a broader HUD definition is unfounded. School districts have been using the broader definition for more than 10 years, and, unlike HUD homeless assistance, the education statute is an entitlement with greater costs (transportation, etc.). Yet there has been no “the sky is falling” response. The fact is, recognizing and acknowledging the predicament and needs of all homeless people similarly across federal agencies has the potential to actually streamline delivery systems and make the federal machine more efficient.

Although Covenant House and our partnering West Virginia agencies and organizations are fully committed to the idea that needs of the hardest to serve and most in need will always be our top collective responsibility, we want to provide services for all who are homeless, whether they are living in a shelter or on the streets or otherwise. It is for this reason that Covenant House and the Kanawha Valley Collective strongly support the revision of this definition, so those who are working with this population can efficiently and sufficiently assist those who need it the most.

Critical Supportive Services

Providing new and flexible resources for homelessness prevention, the HEARTH Act provides a framework for greater homelessness prevention activities. Many victims of domestic violence and their children are in danger of becoming “chronically” homeless if intervention is not provided sooner. Certainly Congress would rather help people *before* they spend a year on the street, lose custody of their children, and develop disability, mental illness, or substance abuse problem.

It is imperative that funding is given to programs to address issues of education, employment, drug free environments, etc. Homelessness will continue to exist until the issues such as these are decreased in our West Virginia communities. By broadening the existing definition of prevention and allowing prevention activities to be funded through Emergency Shelter Grant

(ESG) program or "competitive" homeless assistance program, HEARTH will work to provide local flexibility in use of prevention funds.

Rural Solutions for Rural Communities

The HEARTH Act adopts a simple approach to meeting needs of rural communities. By aligning HUD's definition of homelessness with the definition used by other federal agencies, it ensures that people who are without homes in rural communities are counted as "homeless."

West Virginia's mountainous and rugged topography has stifled the growth of towns and cities in remote parts of the states. Roadways wind along creek and river beds, with small houses dotting the country side. We call it community, but admittedly we also call it a house here and there along the road. Almost no small towns have any kind of shelter or affordable housing programs due to current HUD set-asides and incentives that favor urban areas. This forces rural West Virginians out of their home communities and to the big city for help. It is unfair to those families living in rural America who are struggling to keep their families under roof.

The removal of current HUD set-asides and incentives will allow rural areas to spend funds flexibly to most effectively prevent and end homelessness.

Victims of Domestic Violence Protected

By prohibiting the disclosure of any information collected by a housing or social service provider that could identify them and by permitting victims of domestic violence who may be in danger to immediately move to a safer living situation, the HEARTH Act works intentionally and proactively to protect victims of domestic violence.

McKinney-Vento funded services are critical to meeting the shelter and housing needs of victims of domestic violence – programs must continue to receive McKinney funding. Victims frequently stay in homeless shelters because domestic violence shelters are full or because they

don't identify themselves as "battered women." Therefore all shelters that serve women and families need support if we are to help victims of DV.

S. 1518: Flawed Legislation

Per your request, Covenant House and the Kanawha Valley Collective Continuum of Care have considered S. 1518, the Community Partnership to End Homelessness Act (CPEHA), which reauthorizes the HUD Homeless Assistance Programs. We find it flawed in several respects.

Attempted Homeless-Definition Expansion: A Day Late & A Dollar Short

First, although it does expand the definition of homeless beyond the current HUD definition, the expansion proposed in S. 1518 falls short of satisfying actual needs we see here on the ground in Charleston. For example, S. 1518 will include people in motels, but only if their bills are paid for by a government program or charity or IF they have moved three times in one year or two times in the past 21 days, AND they can only pay for the room for a short period of time.

Another S. 1518 definition expansion that falls short is the allowance to individuals and families who are doubled-up as homeless, but only IF they have moved three times in one year or two times in the past 21 days, AND they have been notified by the owner or renter of their lodging that they can only stay for a short time period, AND they don't have resources to contribute to rent.

This expansion is inadequate and harmful in many respects. It would force families and youth in motels and who are doubled-up to move repeatedly before they are eligible for HUD homeless assistance.

Healthy child and youth development is predicated on routine, consistency, and stability. Each and every move is traumatic for children and youth -- especially those in deep poverty. This

provision would be harmful to families and individuals by forcing repeated disruption of their living situation; it also is contrary to the goal of preventing chronic homelessness. For service providers, verification of multiple moves will be time-consuming and difficult; for families and youth in crisis, this requirement creates more administrative hoops through which they must jump in order to receive the help they need.

Community Collaboration? Gone!

Important provisions have been stripped from the bill regarding how recipients are evaluated, including the extent to which they address the needs of relevant special populations (including persons with disabilities, children and families, unaccompanied youth, and veterans) and whom should be consulted in the development of the application, including homeless education liaisons and persons experiencing homelessness.

Onerous Permanent Housing Set-Asides Steal Local Decision-Making

S. 1518 maintains a set-aside for permanent supportive housing that denies communities the ability to meet the needs of all homeless populations that they identify, including families with children and unaccompanied youth.

On behalf of victims of homelessness and domestic violence in West Virginia and around the country, I thank the Committee for this opportunity to testify. West Virginia advocates for victims of homelessness and domestic violence are in strong support of reauthorizing the McKinney-Vento Homeless Assistance Act and the “Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH Act), H.R. 84. We believe that by working together a bill can be passed that meets the needs of diverse communities. We look forward to working with the Financial Services Committee to achieve legislation that returns control to our local communities and works for homeless families, including victims of domestic violence. Thank you again for your leadership to end both domestic violence and homelessness.